

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

FILED  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
2005 JUN 30 PM 4:24

MAYNE PHARMA (USA) INC., )

Plaintiff, )

v. )

Civil Action No. 04-1564-KAJ

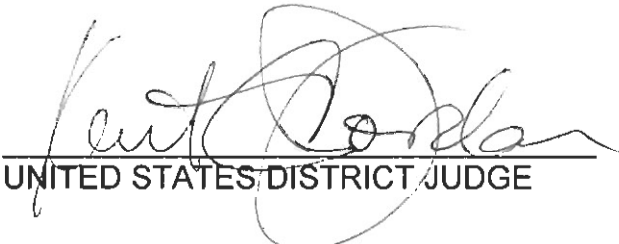
AMERICAN PHARMACEUTICAL )  
PARTNERS, INC., BIGMAR, INC., and )  
BIGMAR-BIOREN PHARMACEUTICALS, )  
S.A., )

Defendants. )

**ORDER**

For the reasons set forth by the Court during the hearing today,

IT IS HEREBY ORDERED that defendant American Pharmaceutical  
Partners, Inc.'s motion to dismiss (D.I. 17) is DENIED.

  
UNITED STATES DISTRICT JUDGE

Dated: June 30, 2005  
Wilmington, Delaware